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CISCO SYSTEMS, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

FINJAN, INC., a Delaware Corporation, Plaintiff, v. CISCO SYSTEMS, INC., a California Corporation, Defendant.	Case No.: 5:17-cv-00072-BLF-SVK **DEFENDANT CISCO SYSTEMS, INC.'S NOTICE PURSUANT TO 35 U.S.C. § 282(C)**

Pursuant to 35 U.S.C. § 282, Cisco Systems, Inc. ("Cisco") hereby identifies certain publications, documents, and patents to be relied upon as showing, inter alia, either anticipation or obviousness or the state of the art relating to the patents-in-suit. Cisco also hereby provides to Plaintiff a list of names of persons who may be relied upon as either a prior inventor, as having prior knowledge of the claimed inventions, and/or as having knowledge of prior use or offers for sale of the claimed inventions.

Cisco affirmatively states that it has already provided notice to Plaintiff of the identity of certain publications, patents, and persons within the ambit of § 282, through the pleadings and correspondence in this case, more particularly, through Cisco's expert witness reports and testimony, and Cisco's prior responses to discovery requests including deposition transcripts of witnesses and responses to interrogatories including specifically the interrogatory responses identifying contentions for invalidity and all documents, patents, publications, and other materials identified and cited therein.

Cisco expressly incorporates herein by reference all of the publications, patents, and specification of persons within the ambit of § 282 previously cited in these reports, pleadings, discovery responses, deposition transcripts (including all exhibits thereto), correspondences, and pretrial documents. To the extent not included in the previously identified materials, Sections I, II, and V, *infra*, contain a list of additional documents for which Cisco gives notice. The listing of identified publications and patents is provided pursuant to the statutory provisions of 35 U.S.C. § 282. Listing the publications and patents, however, should not be construed as a representation that Cisco will use every one of the references in its presentation of evidence at trial. No implications therefore should be taken that reliance upon all of these materials is necessary to Cisco's defenses. Cisco also reserves the right to amend and/or supplement this notice, at least thirty days before trial, if commencement of the trial in this matter is changed from its currently scheduled date of June 1, 2020.

I.   PATENTS AND PATENT PUBLICATIONS

Country / Number	Patentee / Applicant	Date
U.S. Patent Application Publication No. 2005/0108562	Khazan et al.	June 18, 2003

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U.S. Patent No. 7,487,540	Shipp	January 19, 2004
U.S. Patent No. 5,892,904	Atkinson	December 6, 1996
U.S. Patent No. 5,983,348	Ji et al.	September 10, 1997
U.S. Patent No. 5,815,709	Waldo et al.	April 23, 1996
U.S. Patent No. 5,623,600	Ji et al.	September 26, 1995

II.   OTHER PUBLICATIONS

Title	Author	Date	Pages
"Mobile Code Security by Java Bytecode Instrumentation"	Chander et al.	June 2001	27-40
"Design and Implementation of a Distributed Virtual Machine for Networked Computers"	Sirer et al.	December 1999	202-216
"Safe Web Surfing with the Internet Component Download Service"	Kirtland	June 12, 1996	All
"Heuristic Scanners: Artificial Intelligence?"	Zwienenberg	September 1995	203-210
"Dynamic Detection and Classification of Computer Viruses Using General Behaviour Patterns" ("Swimmer")	Swimmer et al.	September 1995	75-88
"A Testbed for Malicious Code Detection: A Synthesis of Static and Dynamic Analysis Techniques"	Crawford et al.	May 1991	17-1 – 17-23
"Trust Management and Proof-Carrying Code in Secure Mobile-Code Applications" ("Feigenbaum")	Feigenbaum et al.	March 1997	1-8
ThunderBYTE Anti-Virus Utilities User Manual (©1996)	EsaSS B.V. (The Netherlands)	February 1996	All

III.   SYSTEM ART

Item
ThunderBYTE Anti-Virus Utilities v. 7.0 ("ThunderBYTE")

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IV.   PERSONS HAVING KNOWLEDGE

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Dr. Nenad Medvidovic	Reachable through Finjan's counsel

Furthermore, the named inventors of each of the prior art patents and patent publications and the authors of the prior art publications are also persons having knowledge and/or are prior inventors.

V.   BACKGROUND ITEMS AND/OR OTHER INFORMATION

In addition to the teachings and knowledge demonstrated in the above identified documents and system, Cisco provides notice of the following background items and/or other information to be relied upon in explaining the state of the art, the level of ordinary skill in the art, background of the technology at issue, terms or components in a reference above, motivation to combine, and the prosecution history of the patents-in-suit.

A.   PATENTS AND PATENT PUBLICATIONS

Country / Number	Patentee / Applicant	Date
U.S. Patent No. 5,440,723	Arnold et al.	January 19, 1993
U.S. Patent No. 5,452,442	Kephart	April 14, 1995
U.S. Patent No. 5,202,982	Gramlich et al.	April 13, 1993
U.S. Patent No. 6,157,721	Shear et al.	August 12, 1996
U.S. Patent No. 6,128,774	Necula et al.	October 28, 1997
U.S. Patent No. 6,253,370	Abadi et al.	December 1, 1997
U.S. Patent No. 8,244,910	Davis	July 14, 2004
U.S. Patent No. 6,272,641	Ji	August 7, 2001
U.S. Patent Application Publication No. 2007/0113282 A1	Ross	November 17, 2005
U.S. Patent No. 6,088,803	Tso et al.	July 11, 2000
U.S. Patent No. 5,974,549	Golan	October 26, 1999
U.S. 2001/00058898	Albrecht	June 2001
U.S. Patent No. 5,983,348	Ji et al.	September 10, 1997
U.S. Patent No. 6,058,482	Liu	May 22, 1998
U.S. Patent No. 6,367,012	Atkinson	December 6, 1996
U.S. Patent No. 5,623,600	Ji et al.	September 26, 1995
PCT Published Application WO 98/31124	Hanson	July 1998
U.S. Patent No. 6,577,920	Hypponen	October 2, 1998
PCT Published Application WO 98/21683	Touboul	May 22, 1998
US Patent No. 7,076,650	Sonnenberg	December 24, 1999
U.S. Patent No. 5,313,616	Cline	May 17, 1994

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B.   OTHER PUBLICATIONS

Title	Author	Date	Pages
"Presenting Java: An Introduction to Java and HotJava"	December	1996	22, 24, 26, 27, 29, 31, 36, 38,-41, 45, 52, 53, 55, 78, 99-101, 122, 123, 150, 160
"HTML: The Definitive Guide"	Musciano et al.	1996	xvi, xix, 3, 5-7, 9
"Rx PC – The Anti-Virus Handbook"	Endrijonas	1993	All
ThunderBYTE Anti-Virus Utilities User Manual (©1995)	EsaSS B.V. (The Netherlands)	1995	All
"Combating Viruses Heuristically"	Veldman	September 1993	67-76
"Towards a Testbed for Malicious Code Detection"	Lo et al.	Feb.-Mar. 1991	160-166
"Computer Viruses and Artificial Intelligence"	Stang	September 1995	235-257
"Scanners of the Year 2000	Gryaznov	September 1995	225-234
"Biologically Inspired Defenses Against Computer Viruses"	Kephart et al.	August 1995	985-995
"Automated Assistance for Detecting Malicious Code"	Crawford et al.	June 1993	1-12
"Static Analysis Virus Detection Tools for UNIX System"	Kerchen et al.	October 1990	350-365
"MCF: a malicious code filter"	Lo et al.	1995	541-558
"An Intrusion Detection Model"	Denning	1987	
"Java -- Threat or Menace"	Bellovin	October 1996	845
"Hypertext Transfer Protocol – HTTP/1.0"	Berners-Lee et l.	May 1996	All
"Webware: Nightmare or Dream Come True?"	Neumann	October 1996	844
"Untrusted Applications Need Trusted Operation System"	Karger	October 1996	847-848

Title	Author	Date	Pages
"Using Content-Derived Names for Caching and Software Distribution"	Miller et al.	1997	All
"Applied Cryptography"	Schneier	1996	429, 461, 483, 435, 436, 441
"An Introduction to Database Systems"	Date	August 1995	2-50
"Modern Database Management"	McFadden et al.	1994	139
"Fundamentals of Database Systems"	Elmasri et al.	1989	4, 30-33, 543-564
Compuserve, ThunderBYTE Team Up To Conquer Windows 95 Virus	PR Newswire Association, Inc.	February 8, 1996	All
Virus Bulletin	Virus Bulletin	May 1996	21-23
Virus Bulletin	Virus Bulletin	September 1994	8, 16
ThunderBYTE Anti-Virus Utilities Webpage	EsaSS B.V. (The Netherlands)	December 1996	All
ThunderBYTE Anti-Virus Utilities Press-Release Webpage	EsaSS B.V. (The Netherlands)	December 1996	All
"ActiveX and Java: The Next Virus Carriers?"	Trend Micro	March 1997	All
"*ChakraVyuha (CV)*: A Sandbox Operating System Environment for Controlled Execution of Alien Code"	Dan et al.	February 1997	1-21
"Blueprint for a Computer Immune System"	Kephart et al.	October 1997	159-173
"Integralis E-mail scanner gains Web component"	McNamara	March 3, 1997	All
"Trend Micro's Anti-Virus Suite Unveiled – Combats Epidemic of Internet and E-mail-Borne Viruses"	Trend Micro	April 9, 1996	All
"Integralis announces MIMEsweeper for NT Version 2.1 with Microsoft Mail support; Protects e-mail users against viruses and macro bombs originating from internal and Internet e-email	Business Wire	February 20, 1996	All

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Title	Author	Date	Pages
Integralis MIMEsweeper Scans Internet Mail for Viri, Nasties	CBR Staff Writer	July 1995	All
Integralis Lauches the Internet's First Anti-Virus Protection System	M2 Communications Ltd.	June 30, 1995	All
"Trend Micro's InterScan VirusWall beats McAfee to win Editor's Choice Award from PC Magazine	Trend Micro	March 26, 1997	All
"Identifying and Controlling Undesirable Program Behaviors"	King	October 1991	283-293
https://www.w3.org/TR/REC-PICSservices-961031	Krauskopf et al.	October 1996	All
"JavaScript 2.0: Evolving a Language for Evolving Systems"	Horwat	2001	1-15
"Java Bytecode Modification and Applet Security", Stanford University, Computer Science Department	Shin	1998	All
"Blocking Java Applets at the Firewall", IEEE Computer Society Proceedings of the 1997 Symposium on Network and Distributed Systems Security Washington, DC	Martin	1997	All
"Protection Wrappers: A Simple and Portable Sandbox for Untrusted Applications," Proceedings on the 8th ACM SIGOPS European Workshop on Support for Composing Distributed Applications	Jensen	1998	104-110
"Anatomy of a Commercial-Grade Immune System", International Virus Bulletin Conference, Vancouver, Canada	White et al.	September 1999	All
A Sense of Self for Unix Processes, Proc. 1996 IEEE Symposium on Sec. & Privacy 120	Forrest et al.	1996	120-128
ThunderBYTE website order page	ThunderBYTE	October 1996	All
Proof-Carrying Code	Necula et al.	September 1996	All

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C.   **SYSTEMS**

Item
ThunderBYTE Anti-Virus Utilities v. 7.06 ("ThunderBYTE 7.06")

Dated: April 28, 2020   Respectfully submitted,

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